FILE

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT
SUPPLEMENTARY REPORT

C - Assault with a Deadly Weapon on a Peace Officer 245(d)(1)P.C.; Person Dead. FILE #095-11363-1435-055

ACTIVE/ADDITIONAL INFORMATION: BACKGROUND, DEPUTY ACTIONS AT THE SCENE

D - 07-13-95, 2100 hrs., Thursday
L - [redacted] Valley Bl., La Puente

V1 - Banuelos, Edward
LASD Deputy Sheriff #[redacted]
V2 - Parga, Carlos
LASD Deputy Sheriff #[redacted]
V3 - [redacted]
LASD Deputy Sheriff #[redacted]
V4 - Shapiro, Anthony
LASD Deputy Sheriff #[redacted]

S1 - Doe, John MH/30-40, (Deceased)

The purpose of this report is to provide background information and the circumstances of this incident, as well as to document my actions and the actions of assisting deputies.

I monitored a radio broadcast by Sgt.M.Johnson (#[redacted], Unit W514S) on Dispatch 8 of a "Deputy Involved Shooting" at the location. I arrived about 2105 hrs. and initially assisted in establishing an outer perimeter on Valley Bl. When I learned that a Patrol Deputy was needed to assume the investigation and reporting of this incident, I took control of the investigation, at about 2115 hrs. There were approx. 30 deputies from L.A.S.D. Narcotics, L.A.S.D. Safe Streets Bureau/Gang Enforcement Team, and Industry Station Patrol assisting in the containment and investigation.

I spoke to Sgt.L.Brakebush (L.A.S.D. Narcotics, Industry Station) and received background information and a description of the incident. He was in the immediate area and witnessed this incident.

The neighborhood surrounding the location has been the site of hundreds of arrests in recent years for possession, sales, and usage of illegal narcotics, primarily "Rock Cocaine". Due to the continuing resurgence of this problem, Narcotics deputies initiated a "Buy/Bust" operation. In conjunction with this, and immediately following, they conducted a "Reverse Sting" operation in which they sold a substance similar in packaging and appearance to "Rock Cocaine". (The substance used was "macadamia nuts".)

The purchasers were then to be arrested for Attempted Possession of a Controlled Substance, 664/11350(a)H.S. These operations have been successful in the past in terms of arrests and deterrence factors.

On this occasion, the Operation was conducted by the L.A.S.D. Narcotics Bureau/Street Task Force Unit under the supervision of Lt.W.Miller. The Operations Plan (copy submitted) was written by Dep.B.Lively and Dep.D.Valentine. The Operations plan outlined the Buy/Bust Operation, the Reverse Sting Operation, and the duties of personnel involved. The procedures were briefed in detail prior to the beginning of the Operation.

The Reverse Sting portion of the plan called for 2 undercover deputies (dressed in plain clothes, carrying authorized concealed weapons and identification) to sell the imitation "Rock Cocaine." There were two other undercover deputies ("security personnel") on foot in the immediate vicinity (within a few feet) to provide backup for the sellers. An "eye" deputy kept the sellers and suspects in view and co-ordinated communication and arrest efforts. A "rescue" team also stayed in the immediate area to provide emergency support for the undercover deputies. A surveillance team was to remain in the immediate area to follow the buyers from the area, and co-ordinate a stop and arrest of the suspect by deputies in uniform in marked vehicles. These arrest crews were supplemented by G.E.T. team personnel in uniform in unmarked vehicles.

The Operation went according to plan, and 18 arrests were made prior to 2100 hrs. A few minutes before 2100 hrs., the suspect (Susp.#1/John Doe) arrived alone in a cream colored 1979 Oldsmobile CA. License #[redacted] He purchased a small amount of "macadamia nut/rock cocaine" from the undercover deputies (Victims 1-4: Banuelos, Parga, [redacted] and Shapiro), who were stationed on the broad sidewalk in front of a series of retail shops. The suspect drove away W/B through the parking lot.

The suspect drove nearly to the end of the lot, stopped momentarily, and then accelerated rapidly in reverse. The surveillance deputies noticed this and immediately notified the "rescue" crew and the undercover deputies. The suspect continued driving in reverse, backing into a parking stall about five parking spaces west of the east end of the [redacted] (location); he stopped within a few feet of and between the undercover deputies.

At this time, Dep.Lively was watching the suspect from his vehicle. Dep.S.Cardenas was on foot about 25 feet S/W of the suspect. Sgt.Brakebush and Dep.D.Vega ([redacted]) were in a van directly south of the suspect. Dep.Horner ([redacted]) was in a black Lincoln S/W of the suspect. Sgt.H.Marco ([redacted]) was in the parking lot in another vehicle. Dep.Nordskog was in the parking lot in a vehicle.

All of these personnel observed the purchase and the suspect's actions from a variety of angles and distances.

The suspect exited his vehicle and confronted the deputies, accusing them of selling him "bunk dope", and challenging them to fight. The undercover deputies gave a pre-arranged emergency signal, and the rescue teams began to respond. As they approached, the suspect leaned into the open driver's door of his vehicle. When he came out he had a pistol in his hand. He pointed it at the deputies, who retrieved their Sheriff's identification and firearms.

Sgt.Brakebush said he saw and heard the undercover deputies identify themselves as Sheriff's Deputies, and that he heard them tell the suspect several times to drop the gun.

The suspect then pointed the pistol directly at one of the deputies, and the four Victim Deputies (V/1-V/4), fearing they were about to be fired upon, fired their pistols at the suspect.

The suspect then re-entered the front seat of the Oldsmobile, still holding the pistol, lying prone on the seat with his head toward the west (passenger) side. The deputies at the scene were unsure if the suspect was still armed, and ordered him to raise his hands. When he did not comply, they felt that the suspect still posed an immediate threat and chose to remove him from the car. Dep.Horner drove the black Lincoln near the suspect's vehicle to provide additional cover. The undercover deputies and responding deputies used the Lincoln and two adjacent vehicles (a black Trans Am CA Lic.[redacted], a green Ford Pinto station wagon CA Lic.[redacted]) as cover.

Deputy Kodera ([redacted]) and Deputy Guhl ([redacted]) then pulled the suspect out of his vehicle onto the ground and handcuffed him without further incident. An unidentified deputy removed the pistol from the front seat area of the suspect's vehicle and placed it on the trunk of the suspect's vehicle.

Sgt.Johnson (W514S) requested assistance and Paramedics via Dispatch 8, as well as requesting the response of the Watch Commander and Homicide. When paramedics arrived (Duran and Mayo, L.A.Co.Fire Squad 118) the handcuffs were removed. Dep.Kodera escorted paramedics through the crime scene to the suspect. The suspect was transported via Crippen Ambulance and accompanied by Dep.S.Maroun ([redacted]) to Queen of the Valley Hospital. Dep.C.Anderson ([redacted] was among the first Industry Station Patrol deputies to arrive; he initiated a log of the persons entering the scene. I assumed the investigation a short time later, and an inner/outer perimeter was established with yellow tape.

Sgt.Marco sequestered the involved Victim Deputies (V/1-V/4) and arranged for their transportation to Industry Station.

A variety of Sheriff's Department Management, Standards and Training Division, and investigative personnel responded; all of those who entered the inner perimeter signed in on the log, which was submitted with the first report. Sgt.Spear of L.A.S.D. Headquarters Bureau responded and handled media requests for information and access.

Dep.Maroun was relieved at Queen of the Valley Hospital by Unit 143K2 Dep.Macias ([redacted]). Because the suspect's body was to be removed from the Emergency Room into the Hospital Morgue, Dep.Macias took possession of the suspect's personal effects and clothing; he booked this into property at Industry Station. Refer to his Supplemental Report under this file number.

Throughout the investigation, we were unable to identify the suspect further through identifying papers or information. He is significantly larger than the description listed in DMV of the registered owner of the Oldsmobile.

Prior to the termination of the crime scene, the Oldsmobile was impounded. The remainder of the suspect's clothing, which had been cut off by paramedics, was booked as personal property at Industry Station by Dep.Trost. Refer to his Supplemental Report for details.

By Deputy A.Berg [redacted] (8+ years) Unit 144K2 P.M.'s

Approved By: Sgt.M.Collins [redacted]

Assigned: L.A.S.D. Homicide 07-14-95 0641 hrs.

City of Industry

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COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE AUGUST 10, 1995 FILE NO. 095-11363-1435-055

C- ASSAULT WITH A DEADLY WEAPON ON A PEACE OFFICER - 245(D)1 P.C. Action Taken ACTIVE/INVESTIGATION MADE/WITNESSES INTERVIEWED/EVIDENCE HELD/ CC#95-05379

V- (SEE BELOW)

D- 07-13-95 (THURSDAY) AT 2100 HOURS

L- [redacted] VALLEY BOULEVARD, LA PUENTE

S- TAGGART III, GENERAL ERNEST M/31, DOB: 04-10-64 (DECEASED)

V #1 - BANUELOS, ERNESTO ALONSO M/H (DEPUTY), #[redacted]
ASSIGNED TO CENTURY SHERIFF'S STATION, NARCOTICS

V #2 - PARGA, CARLOS LOPEZ M/H (DEPUTY), #[redacted]
ASSIGNED TO CENTURY SHERIFF'S STATION, PATROL

V #3 - [redacted] M/H (DEPUTY), #[redacted]
ASSIGNED TO EAST LOS ANGELES SHERIFF'S STATION, NARCOTICS

V #4 - SHAPIRO, ANTHONY MH/[redacted] (DEPUTY), #[redacted]
ASSIGNED TO HEADQUARTERS, NARCOTICS BUREAU

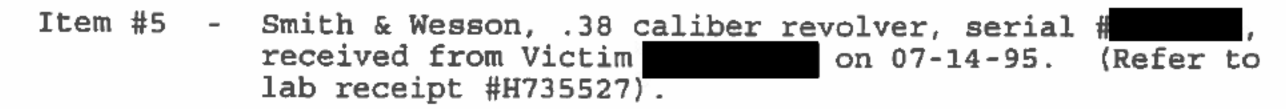
EVIDENCE HELD

Item #1 - Jennings, .22 caliber, semiautomatic pistol, serial #[redacted], with a magazine loaded with seven .22 caliber cartridges, recovered at the location on 07-13-95. (Refer to lab receipt #H735525.)

Item #2 - One envelope containing numerous smaller envelopes, each containing expended ammunition evidence, recovered at the location on 07-13-95 by Deputy Higashi. (Refer to lab receipt #H735526.)

Item #3 - Beretta, 9mm semiautomatic pistol, serial #[redacted], received from Victim Parga on 07-14-95. (Refer to lab receipt #H735527.)

Item #4 - Beretta 9mm semiautomatic pistol, serial #[redacted], received from Victim Shapiro on 07-14-95. (Refer to lab receipt #H735527).


Item #5 - Smith & Wesson, .38 caliber revolver, serial #[redacted], received from Victim [redacted] on 07-14-95. (Refer to lab receipt #H735527).

Item #6 - One coroner's envelope with one expended bullet, removed from the victim on 07-16-95 during the autopsy. (Refer to lab receipt #H735535).

Item #7 - One envelope containing one expended bullet, recovered by Industry Station Patrol Deputy Wall, described in his report dated 07-15-95. (Refer to lab receipt #H735535).

Item #8 - Three envelopes, each containing expended ammunition evidence, recovered from suspect's vehicle on 07-18-95 by Deputy VanHorn at Haddick's Tow Yard. (Refer to lab receipt #H735535).

Item #9 - Small cellophane bag containing a crushed macadamia nut, recovered at the location on 07-13-95.

Item #10 - Small cellophane bag containing an uncrushed macadamia nut, representative sample, received from Narcotics Sergeant Brakebush on 07-18-95.

Item #11 - Suspect's clothing, removed from the suspect on 07-13-95 by hospital personnel at Queen of the Valley Hospital.

Item #12 - One $10 bill, serial #L20888948A, received from Sergeant Moran on 07-14-95.

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On 07-13-95, Thursday, at approximately 2200 hours, Investigators were assigned to investigate the circumstances surrounding a deputy involved shooting at [redacted] Valley Boulevard, in La Puente.

At approximately 2245 hours, Investigators arrived at the location and contacted Industry Station Patrol Deputy A. Berg #[redacted], Unit 144K2, PM's. Deputy Berg related, in brief, that he arrived at the location at approximately 2105 hours in response to monitoring a deputy involved shooting at the location, via the radio.

Upon his arrival, he observed the suspect lying on the pavement, bleeding from the chest area. Paramedics arrived at the location and rendered medical aid to the suspect. The suspect was subsequently transported to Queen of the Valley Hospital, via ambulance, where he was pronounced dead at 2137 hours.

Deputy Berg related the suspect was shot by the above listed victim/deputies when the suspect approached them and pointed a gun at them. Deputy Berg explained the victim/deputies were working "undercover," during a reverse sting operation, wherein the undercover deputies were selling a substance purported to be "rock" cocaine to street purchasers. Further, that the suspect purchased the substance, which in fact was a macadamia nut in lieu of the "rock" cocaine. The suspect then entered his vehicle and drove away from the undercover deputies. A short distance from where the purchase had been made, the suspect apparently became aware he purchased a substance in lieu of the cocaine. The suspect reversed his vehicle, reapproached the deputies, alighted from the vehicle, and confronted Victim Banuelos. The suspect was reportedly, obviously angry and accused Victim Banuelos of selling him "bunk dope." The suspect subsequently reentered his vehicle and retrieved a gun, at which time he pointed it at Victim Banuelos. This caused the other three victim/deputies to immediately draw their weapons, at which time they identified themselves to the suspect. When the suspect turned from Victim Banuelos and pointed the gun at Victim Shapiro, Victim/Deputies #2, #3, and #4 fired their weapons at the suspect. The suspect, after being struck, reentered his vehicle and laid on the front seat, where he was subsequently removed from and transported to the hospital for medical treatment.

Deputy Berg stated that the victim/deputies, along with numerous civilian and deputy witnesses, were transported to Industry Sheriff's Station, where they were waiting to be interviewed by Investigators.

Deputy Berg will prepare a complete and detailed report as to his observations and actions, a copy of which will be made a permanent part of this file.

Sergeant Fort and Investigator Beck, along with Sergeant Franco and Investigator Durazo, arrived at the location to assist Investigators with their investigation.

Sergeant Fort and Investigator Beck conducted a crime scene investigation at the location and gathered evidence, along with Deputy Higashi, who is assigned to the Firearms Section of the Sheriff's Scientific Services Bureau.

Sergeant Franco and Investigator Durazo responded to Industry Sheriff's Station to assist Investigators with the interview of witnesses.

Sergeants Fort and Franco, and Investigators Beck and Durazo, will prepare complete and detailed reports as to their actions, copies of which will be made a permanent part of this file.

Deputy Berg conducted a walk-through of the crime scene with all involved Investigators and pointed out specific items of evidence and references.

Sergeant Gjendem and Sergeant Nemeth, assigned to Internal Affairs Bureau, arrived at the location and were briefed regarding the circumstances of the incident. D.A. Investigator [redacted] and Deputy D.A. Grail arrived at the location and were briefed by Lieutenant Merriman. Investigators responded to Industry Sheriff's Station to conduct the interviews of the victims and witnesses.

On 07-14-95, Friday, at approximately 0005 hours, Investigators interviewed Deputy/Victim **ERNESTO ALONSO BANUELOS**, who stated he is presently assigned to Century Sheriff's Station, Narcotics. Prior to interviewing Deputy Banuelos, Investigators examined his weapon, a departmental issued Beretta, 9mm, semiautomatic pistol, serial #[redacted], and observed it was loaded with 15 rounds in the clip and one round in the chamber and showed no evidence of having been fired.

Deputy Banuelos stated he was working the street narcotics task force for drugs at the location and at approximately 2100 hours, while in an undercover capacity, sold a "dime bag" ($10 quantity) of macadamia nuts to the suspect, in the suspect's vehicle. He further stated the macadamia nut was in lieu of "rock" cocaine, which the suspect wanted to purchase. The suspect started to leave and drove westbound, toward Laura Avenue. After a short distance, the suspect stopped and reversed his vehicle to Victim Banuelos' location. The suspect yelled at Deputy Banuelos, "Come here." Deputy Banuelos ignored the suspect and walked away, at which time he heard Deputy Shapiro yell that the suspect had a gun. Deputy Banuelos turned and looked at the suspect and observed that he did, in fact, have a gun in his hand. Deputy Banuelos then ducked out of sight, at which time he heard several gunshots. He never approached the suspect, nor did he fire his weapon. He (Banuelos) did observe Deputy/Victims Shapiro and Parga fire their weapons.

Deputy/Victim Banuelos concluded by stating he eventually responded to Industry Station, where he remained until this interview.

Deputy/Victim Banuelos could add nothing further and the interview was concluded.

Investigators then interviewed Deputy/Victim **CARLOS LOPEZ PARGA**, who stated he is currently assigned to Century Sheriff's Station Patrol and currently on loan to Narcotics Bureau for the purpose of participating in the reverse sting operation.

Prior to his interview, Investigators examined his service weapon and observed one live round in the chamber and 12 live rounds in the clip. Deputy Parga stated he normally carries 15 rounds in the clip and one round in the chamber, indicating his weapon had been fired three times.

Deputy Parga stated he was at the location, assigned to provide security for undercover deputies as they sold, what was purported to be, "rock" cocaine to street purchasers.

At approximately 2100 hours, Deputy Parga observed the "sale of narcotics" between Deputy Banuelos and the suspect, after which the suspect drove westbound in the parking lot. The suspect then stopped and backed his vehicle, returning to Deputy Banuelos' location, and exited his vehicle. At one point, he heard Deputy Shapiro yelling that the suspect had a gun, at which time he, himself, observed the suspect armed with a gun. The suspect pointed the gun at Deputy Banuelos and then at Deputy Shapiro, who was yelling at the suspect to, "Drop the gun." When the suspect pointed his gun at Deputy Shapiro, he (Parga) fired possibly four to five rounds at the suspect, but does not know if he struck the suspect. Deputy Parga explained that Deputy Shapiro identified himself as, "Sheriff's Department, drop the gun," while holding his badge in his left hand. Deputy Shapiro yelled this very loudly several times.

Deputy/Victim Parga could add nothing further and the interview was concluded.

Investigators then interviewed Deputy/Victim [redacted] who stated he is currently assigned to East Los Angeles, Narcotics. Prior to his interview, his weapon was examined and observed to be a Smith & Wesson, .38 caliber, 2 inch revolver, with two live rounds, and three expended cartridges in the cylinder, indicating his weapon had been fired three times.

Deputy [redacted] stated he was assigned as undercover security for undercover deputies, who were selling macadamia nuts in lieu of "rock" cocaine at the location. The suspect approached them and spoke to Deputy Banuelos, who sold the suspect the macadamia nut. The suspect started to leave westbound in his vehicle, but stopped and backed up to the location, where he got out and approached Deputy/Victim Banuelos. Deputy Shapiro suddenly yelled, "He has a gun," several times. The suspect spun around and pointed the gun in his direction, at which time he took cover behind a car. He drew his identification badge and weapon. He heard other deputies yelling, "Sheriff's," and shots being fired. The suspect faced his direction and he ([redacted]) yelled, "Sheriff's, freeze," after which he fired two to three shots when the suspect, who had a small gun in his hand, did not drop the gun.

At this time, Deputy/Victim [redacted] could add nothing further and the interview was concluded.

At 0200 hours, Investigators interviewed Deputy/Victim **ANTHONY SHAPIRO**, who stated he is currently assigned to Headquarters, Narcotics Bureau. Prior to his interview, his weapon was examined and observed to contain one live round in the chamber and five live rounds in the clip. Deputy Shapiro stated he normally carries 15 rounds in the clip and one in the chamber, indicating this weapon had been fired 10 times.

Deputy Shapiro stated he was working at the location last night, with Deputy/Victim Banuelos, selling fake narcotics to street purchasers. He observed Banuelos make a transaction with the suspect, after which the suspect drove his vehicle westbound from their location, in front of the [redacted], approximately 35 feet, and then stop. The vehicle returned, in reverse, rapidly. He (Shapiro) took cover behind the hood of a Firebird, which was parked in front of the location and drew his service weapon. He observed the suspect alight from his vehicle with a small automatic handgun in his right hand. The suspect approached Banuelos and pointed his gun at him, at which time he (Shapiro) yelled several times, "He's got a gun." Shapiro explained he had his sheriff's badge in his left hand and his weapon in his right hand. He yelled several more times at the suspect and identified himself as a deputy sheriff. The suspect turned and pointed his gun at him (Shapiro), at which time he fired several times at the suspect. Shapiro stated after he fired at the suspect, the suspect went into or fell into the front seat of his vehicle. He (Shapiro) stated he fired in fear of his life and for the lives of fellow deputies because the suspect would not drop his weapon. In addition, he was aware of a woman and a small child sitting in a vehicle, which was in the line of fire of the suspect.

At this time, Deputy Shapiro could add nothing further and the interview was concluded.

At approximately 0245 hours, Investigators interviewed Sergeant **HARRY LEE MARCOS**, L.A. County Sheriff's, #[redacted] currently assigned to Headquarters Narcotics.

Sergeant Marcos stated that at approximately 2100 hours he was seated in a vehicle on the west side of the parking lot, in front of the location, next to the surveillance van. A purchase had just been made between the suspect and an undercover deputy and he observed the suspect vehicle leave westbound in the parking lot from the area of the [redacted]. Prior to the vehicle reaching Laura Avenue, it came to a stop and rapidly backed up, returning to the area of the [redacted]. He then heard deputies yelling, "Sheriff's Department, freeze," but did not see the suspect get out of his vehicle, stating he was approximately 50 to 75 feet

west of the suspect. His view was obstructed and he did not see any of the events or actions leading to the causation of the shooting.

Sergeant Marcos could add nothing further and the interview was concluded.

At approximately 0305 hours, Investigators interviewed **EDWARD NORDSKOG** MW/[redacted], Deputy Sheriff, #[redacted], assigned to East Los Angeles, Narcotics.

Deputy/Witness Nordskog stated he was working in an undercover capacity at the location and was assigned as a "tail vehicle." He explained his assignment was to follow the suspect vehicle from the location after the suspect purchased a substance from the undercover selling deputies. He observed the suspect apparently make a transaction from an undercover deputy and further observed the vehicle leave westbound in the parking lot, toward Laura. The vehicle came to a stop before leaving the parking lot and backed up to the [redacted]. Deputy/Witness Nordskog was advised, via the radio, that something was going wrong and was told to go in as a rescue team. He approached and observed the suspect get out of the vehicle with a gun in his right hand, extended toward the undercover deputies. He heard someone yell, "Come here, come here," followed by, "Sheriff's deputies." He then heard someone yell, "Gun," several times, followed by the sound of several gunshots.

Deputy/Witness Nordskog could add nothing further and the interview was concluded at this time.

At approximately 0320 hours, Investigators interviewed **STEPHEN MAROUN**, Deputy Sheriff, #[redacted], assigned to Industry Station, Narcotics.

Deputy/Witness Maroun stated he was working in an undercover capacity at the location and was assigned to the rescue team inside of the surveillance van at the west side of the parking lot. He did not observe the purchase or the suspect vehicle begin to leave; however, when the suspect returned to the liquor store, he observed the suspect alight from his vehicle and also observed Victim Shapiro duck and take cover behind a vehicle. He then observed the suspect, who he described as a large Black male, get out of his vehicle and heard Shapiro yell, "He's got a gun," and other voices yelling, "Sheriff's Department," after which he heard several gunshots. He did not make an approach to the incident and observed nothing further.

Witness Maroun could add nothing further and the interview was concluded at this time.

At approximately 0325 hours, Investigators interviewed **PHILLIP GUHL** MW/[redacted], Deputy Sheriff, #[redacted], currently assigned to the Gang Enforcement Team.

Witness Guhl stated he was assigned to assist Narcotics Bureau during their undercover operation at the location and was specifically assigned as a rescue deputy. At one point, he heard, via the car radio, a rescue call. As he approached, he heard someone yelling, "Drop the gun, drop the gun," followed by the sound of gunshots, at which time, he took cover. After the shooting, he ran to the location to assist the undercover deputies. At that time, he helped to contain the area and observed the suspect lying face down on the front seat of his vehicle. He then assisted in removing the suspect from the suspect vehicle, onto the pavement, and handcuffed him, after which he called for a rescue squad to respond to the location in order to medically attend to the suspect.

In answer to questions, Witness Guhl stated that although he did not observe the actions of the suspect preceding the shooting, he heard approximately 12 to 15 gunshots.

Witness Guhl could add nothing further and the interview was concluded.

At approximately 0350 hours, Investigators interviewed **KEITH KODERA** MW/[redacted], #[redacted], assigned to the Gang Enforcement Team.

Witness Kodera stated he was assigned to assist Narcotics Bureau with a narcotics operation at the location. He was specifically working as part of an arrest team, explaining the arrest team arrest suspects after the suspects purchase the substances from the undercover deputies, usually away from where the purchase occurred. He heard over the radio something about a yellow vehicle with a suspect purchasing a substance from the undercover deputies, after which he heard the vehicle was leaving westbound. He then heard the vehicle was returning to the deputies' location, where upon he responded immediately. As he was alighting his vehicle, he heard the sound of voices yelling, "He's got a gun, drop the gun," explaining he heard this being yelled, but does not know by which deputies. He then heard the sound of several gunshots, after which he took cover. After the gun fire ended, he subsequently approached the suspect, who was lying face down on the front seat of the vehicle. He then assisted in pulling the suspect from the vehicle, onto the pavement, and handcuffed him.

Witness Kodera could add nothing further and the interview was concluded.

It should be noted that all the interviews were tape recorded with the knowledge of each victim and witness deputy and the above accounts are synopses from those taped accounts.

On 07-15-95, Saturday, at approximately 0930 hours, Investigators were advised by Coroner Investigator Radcliffe that the suspect, whose identity had been unknown, was identified from fingerprints as the above listed suspect.

On 07-16-95, Sunday, at approximately 0830 hours, Investigators attended the post-mortem examination of the victim, which was conducted by Dr. Scheinin at the Chief's Medical Examiners Office in Los Angeles. Dr. Scheinin ascribed the cause of death as a gunshot wound to the chest. Dr. Scheinin stated the suspect suffered two gunshot wounds; one to the right hip, which exited the right groin area, and the second entering the suspect's right chest. Dr. Scheinin recovered that bullet (Evidence Held Item #6) from the left chest area of the suspect and relinquished it to Investigators.

On 07-18-95, Tuesday, Investigators were advised that an additional expended bullet (Evidence Held Item #6) was recovered on 07-15-95 by Deputy Wall, who prepared a supplemental report regarding the recovery of that item, and which will be made a permanent part of this file.

At approximately 1200 hours, Investigator Wisberger picked up Evidence Held Item #6, and the report, at the Industry Sheriff's Station; in addition, the suspect's clothing (Evidence Held Item #11), and an additional representative sample of an uncrushed macadamia nut (Evidence Held Item #10) was received from Sergeant Brakebush at Industry Narcotics.

At approximately 1500 hours, Deputy VanHorn and Deputy Fant, assigned to the Firearms Section, at the Sheriff's Scientific Services Bureau, recovered three additional expended ballistics evidence (Evidence Held Item #8) from the suspect's vehicle at Haddicks Tow. Investigators released to Deputy VanHorn, the bullets (Evidence Held Item #6) which was previously received from Industry Station, evidence locker. All of the additional ballistics evidence was retained by Deputy VanHorn and was transported to the Sheriff's Scientific Services Bureau for examination and comparison, along with the previously mentioned ballistics evidence.

On 07-19-95, Wednesday, at 1215 hours, the bags of suspect clothing and the two macadamia nuts were placed into evidence at the Homicide Evidence located at Biscailuz Center. During a routine check of the suspect, Investigators learned the suspect had four warrants in the system for his arrest for the total bail of $21,971, including two warrants for weapons violations. It was

also determined the suspect's weapon (Evidence Held Item #1) was listed as stolen on 08-22-93 out of L.A.P.D. Southwest Division.

The above Evidence Held Item #12 was received from Sergeant Moran on 07-14-95, which is purportedly the currency utilized by the suspect to purchase the macadamia nut in lieu of "rock" cocaine from Victim/Deputy Banuelos on 07-13-95. The $10 bill was subsequently given to Lieutenant Merriman to be placed in the Homicide evidence safe.

During a review by Investigators of written reports and taped interviews, Investigators noted that Deputy Berg reported, as per Sergeant Brakebush, that the suspect dove into his vehicle with the gun. Further, an unidentified deputy removed the gun from the vehicle interior and placed it atop the rear vehicle exterior.

On 08-10-95, Thursday, Investigator Wisberger contacted Victim/Deputy **SHAPIRO** by landline.

Deputy Shapiro stated the suspect, after being struck from a gunshot, spun around to his left, near the left rear fender, and then entered the vehicle on the driver's side.

He and the other deputies immediately maintained a safety containment of the suspect prior to approaching the suspect. During this safety containment and prior to anyone approaching the suspect, he observed the suspect's gun on the rear of the vehicle, near the rear window and alerted others to its location.

Deputy Shapiro also stated, although he did not actually observe the gun fall onto the vehicle, he is positive that no other person placed it on the vehicle, as no one approached the suspect vehicle until Deputies Guhl and Kodera removed the suspect from the vehicle.

On 08-10-95, Thursday, Investigator Wisberger contacted Deputies **GUHL** and **KODERA** by landline, separately.

Deputy Kodera stated after the suspect was shot and laying in his vehicle, he and Deputy Guhl subsequently removed the suspect from the vehicle, onto the ground, and handcuffed him. Further, no other deputies approached the suspect or vehicle prior to himself and Deputy Guhl.

He also stated that after handcuffing the suspect he asked in a loud voice, "Where is the gun?" It was then brought to his attention by unknown person(s) that the gun was on the rear of the vehicle.

Deputy Guhl stated he and Deputy Kodera removed the suspect, who was laying face down on the front seat with his feet protruding

outside, from the vehicle. He immediately, upon arrival on scene and prior to approaching the suspect, observed the gun laying on the rear of the vehicle, near the rear window. No other person(s) had yet approached the vehicle or suspect and he felt the gun had fallen onto the vehicle after the suspect was shot.

On 08-10-95, Thursday, Investigator Wisberger contacted Sergeant **BRAKEBUSH** by landline.

Sergeant Brakebush stated he in fact erroneously advised Deputy Berg that the suspect entered the vehicle still armed and that an unknown deputy removed it and placed it on the rear of the car. He further explained that during the confusion and volatility of the situation, he mistakenly assumed the gun had been removed to its location and reported it as such to Deputy Berg.

Sergeant Brakebush also subsequently learned from others of the true fact and assumed Investigators also knew of it.

On 08-14-95, Monday, Investigators interviewed [redacted] MH/38, DOB: [redacted], [redacted] MH/25, DOB: [redacted] and **JOSE** [redacted] MH/24, DOB: [redacted].

All three are [redacted] at the [redacted], [redacted] of the location, and all three were interviewed separately at their employment in Spanish.

All three related that at the time of the shooting they were in the process of locking up the store premises and entering their vehicles. They all heard gunshots; however, did not see anything preceding the sound of gunshots. Afterwards they became aware of the shooting in front of the [redacted]. They were approached by a deputy at that time and when they reported to him that they did not observe the shooting, they were allowed to leave.

Investigation is continuing with further reports to follow.

BY: SERGEANT ISAAC AGUILAR, #[redacted]
INVESTIGATOR BYRON WISBERGER, #[redacted]
APPROVED BY: LIEUTENANT FRANK MERRIMAN
HOMICIDE BUREAU - DETECTIVE DIVISION

8-16-95

ARZATE/WP II

\ RED

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE JULY 26, 1995 FILE NO. 095-11363-1435-055

C- DEPUTY INVOLVED SHOOTING Action Taken ACTIVE/INVESTIGATION MADE/EVIDENCE HELD/ WITNESSES INTERVIEWED

V- SEE BELOW

D- 07-13-95 (THURSDAY) AT 2245 HOURS

L- [redacted] VALLEY BOULEVARD, LA PUENTE

S-

VICTIMS:

#1 - BANUELOS, Ernest (Deputy)

#2 - SHAPIRO, Tony (Deputy)

#3 - [redacted] (Deputy)

#4 - PARGA, Carlos (Deputy)

EVIDENCE HELD:

Item #1 - Two cassette tapes containing interviews.

****

On 07-13-95 at 2200 hours, Investigators Durazo and Franco arrived at the crime scene to assist Sergeant Ike Aguilar and Detective Ron Wisberger regarding an officer involved shooting which they were investigating.

Upon arrival at the crime scene, Investigators were asked to respond to Industry Sheriff's Station to conduct interviews of seven civilian witnesses and other deputy personnel who were present at the time of the incident. Also present for the civilian interviews were Sergeants John Nemeth and Ernest Gjindem from Internal Investigations Bureau.

On 07-14-95 at 2400 hours, Investigators interviewed **WITNESS** [redacted] MH/33, DOB: [redacted] He is employed at the [redacted]

[redacted] The [redacted] of [redacted] is his [redacted] This interview was tape recorded on audio cassette and the following is a synopsis of that interview.

Witness [redacted] said he arrived at work at approximately 1030 hours and some undercover deputies arrived at approximately 1330 hours. He recognized these deputies from their previous undercover work in the parking lot area in which he works. The undercover deputies would attempt to sell narcotics to people coming into the parking lot. After a successful undercover "sale" was made by undercover deputies, they would signal by taking their hats off and the arrest team would come in and detain the individuals who had purchased the narcotics.

Witness [redacted] said during the time the undercover deputies were out in the parking lot, he spent some time talking and watching them as they continued to make their transactions and arrest people. He said at approximately 2030 hours he was standing outside with the undercover deputies when he saw a vehicle stop in front of the store, which he described as a white Oldsmobile. One of the undercover deputies walked up to the vehicle and sold some kind of an item to the driver of the vehicle. He then saw the vehicle leaving towards Laura Avenue. The undercover deputies then signaled by taking their hats off, an indication that a "sale" had been made, and for the arrest team to come in.

Witness [redacted] then saw the vehicle driving towards Laura Avenue and stop in the middle of the parking lot, by the television store. He then saw two vehicles, on each side of the white Oldsmobile, drive up to the white Oldsmobile. At this time, the white Oldsmobile began to drive backwards and park facing outward, in the same position where it originally was. He said the driver exited the vehicle with his hands outward and stated, "What's up?" He saw the driver dive back into the vehicle, heard gunshots, and saw a deputy shooting at the driver. Witness [redacted] said he was standing in the doorway of the record shop and he could not see the interior of the white Oldsmobile, but saw the male exit the vehicle and come out with his hands extended outward and walk towards the undercover deputies.

Witness [redacted] said when the shooting started he backed up into the store and yelled to his [redacted] who was in the back area of the [redacted] to stay down on the ground, and not to come out. He heard approximately six gunshots in succession and believes he saw three undercover deputies shoot at the suspect. From his position, at the doorway, he saw one deputy standing to his right and two deputies standing to his left. Once the shooting stopped, he said the undercover deputies went to the vehicle and pulled the suspect out onto the ground and placed him by the door of the white Oldsmobile.

Witness [redacted] said at the time the individual exited the white Oldsmobile, he heard an undercover deputy state, approximately five times, "Don't move. Don't move." He could see the deputy had the gun pointed at the suspect. He then heard someone to the right side of the vehicle say, "He's got a gun," but was unsure which of the deputies said this. He said he did not see a gun in the suspect's hands and only recalled hearing the six gunshots as he started to back up into the store.

At 0055 hours, Investigators interviewed **WITNESS** [redacted] FH/48, DOB: [redacted] She is the [redacted] of the [redacted] She said she arrived at work at approximately 1015 or 1030 hours with her [redacted] This interview was tape recorded on audio cassette and the following is a synopsis of that interview.

Witness [redacted] said in the afternoon, between 1400 and 1500 hours, she saw deputies who did not look like policeman, because of the way they were dressed, come in and out of the store. After arresting people, she saw the undercover deputies in the parking lot area talking to her [redacted] At 2100 hours, she was getting ready to close the store and was in the back room counting the money they had made for the day. While in the back room, she heard approximately five to six gunshots and then heard [redacted] come into the store and tell her to stay there and not to come out. She then heard several deputies screaming and eventually came out and saw several police cars in the parking lot. She said from the rear room, where she was at, she was unable to see any of the activity in the front of the store.

At 0115 hours, Investigators interviewed **WITNESS** [redacted] MO/52, DOB: [redacted] Mr. [redacted] is the [redacted] of [redacted] which is located at [redacted] This interview was tape recorded on audio cassette and the following is a synopsis of that interview.

Mr. [redacted] said he arrived at work at approximately 1400 hours and was scheduled to close at 2000 hours. He was riding his bicycle in the parking lot area attempting to get some exercise. He said at one point an undercover deputy came into his store and showed him his badge and advised him that they were operating a sting operation in the parking lot. He saw that the undercover deputies were selling drugs, but could not see who they were arresting. He was on his bicycle and was facing towards Valley Boulevard when he heard two gunshots. When he heard the gunshots, he ducked down and remembers being near two yellow poles, which were in the middle of the parking lot. He did not look in the direction of the shooting, but heard the gunshots and fell to the ground.

Mr. [redacted] remembers seeing three to four people posing as dealers, selling narcotics in the parking lot, but does not remember seeing [redacted] who is [redacted] by the [redacted] standing with the undercover deputies. He said prior to the shooting, he heard approximately three people stating, "We're police," or "We're Deputy Sheriff's," approximately two to three times. Approximately four to five seconds after hearing the undercover deputies, he heard the shooting. He did not hear anyone asking for anyone to put their hands up and said he did hear the voices coming from the direction of his store.

At 0134 hours, Investigators interviewed **WITNESS** [redacted] MH/47, DOB: [redacted], [redacted], [redacted], [redacted]. He is the [redacted] of [redacted] which is located at [redacted], [redacted]. This interview was tape recorded on audio cassette and the following is a synopsis of that interview.

Mr. [redacted] said his [redacted] is between the [redacted] and the [redacted] He arrived at work at 0900 hours and at 1500 hours he took a lunch break. The cashier in his store indicated to him that there were several policeman outside. Mr. [redacted] was inside his office area, which is located along the southeast corner of his store, getting ready to leave, when he heard approximately six to eight gunshots. He could hear voices after hearing the gunshots, but was unable to understand what they were saying. Once he heard the gunshots, Mr. [redacted] said he ran to the counter area, which is on the west side of his store and hid behind the counter. He had just let three of his employees out of the front door and they had been gone two minutes when he heard the gunshots. Mr. [redacted] said he did not see anyone in the parking lot, due to the fact that he was inside the store getting ready to close and was attempting to take care of his business.

At 0148 hours, Investigators interviewed **WITNESS** [redacted] FH/57, DOB: [redacted] This interview was tape recorded on audio cassette and the following is a synopsis of that interview.

Mrs. [redacted] said she arrived at the [redacted] with her [redacted] to purchase a couple of items. She parked her vehicle in front of the store and went inside. When she exited she was sitting inside of her vehicle, on the driver's seat, with her [redacted], [redacted], sitting in the passenger seat. She had her windows rolled down and was sitting there and did not pay attention to what was going on around them. She yelled out to the [redacted] at [redacted] and asked him how much was the video in the window. She asked the [redacted] later identified as [redacted] twice about the cost of the video. As she was sitting there, a man passed by her and told her that he was a police officer. At that time, she heard the gunshots and pushed her

[redacted] down into the seat. Mrs. [redacted] said she could hear yelling, but could not distinguish what they were saying. She said the yelling came from several people, not just one. After she heard the yelling, approximately three seconds passed and then heard the gunshots.

At 0207 hours, Investigators interviewed WITNESS [redacted] FH/10, DOB: [redacted] This interview was tape recorded on audio cassette and the following is a synopsis of that interview.

[redacted] said she is the [redacted] of Witness [redacted] She had gone with her [redacted] to the [redacted] in her [redacted] green Pinto. They walked into the store and a short time later walked back to their vehicle and she got into the passenger side. She remembers the windows being down in the vehicle and her [redacted] yelling out to the employee at the record shop. She asked him the price of the Selena tape which he had a poster of in the window. The male her [redacted] was yelling at was not paying much attention to her and was just standing inside the doorway of the business. A male walked by them and said something in Spanish. She asked her [redacted] what the male had said . Her [redacted] told her the male had said he was a policeman. [redacted] said she heard more than three gunshots and her [redacted] put her head down on the floorboard of the vehicle. She did not see anything after that.

At 0216 hours, Investigators interviewed WITNESS [redacted] MI/21, DOB: [redacted] Witness [redacted] is an [redacted] at the [redacted] This interview was tape recorded on audio cassette and the following is a synopsis of that interview.

Witness [redacted] said he started work at 1600 hours. He said between 1830 and 1900 hours, he noticed the undercover deputies selling narcotics in the parking lot area of the business. He saw three undercover deputies in the front of the [redacted] but could not recall if he saw [redacted] among the group. He was outside of the store when he saw the white Oldsmobile backing up towards the [redacted] He then saw the driver exit the vehicle and appeared to be talking to the undercover deputies. The next thing he saw was the deputies firing at the driver, at which time he ran into the [redacted] and hid behind the counter.

Witness [redacted] has seen the undercover deputies attempting to sell narcotics to people coming into the parking lot on several occasions. He said the undercover deputies were dressed with shorts and T-shirts and were walking around with beer cans in their hands.

Sergeants John Nemeth and Ernie Gjindem from the Internal Affairs Bureau left after the civilian interviews were conducted.

At 0248 hours, Investigators interviewed **DEPUTY SALVADOR CARDENAS**, DOB: [redacted] Deputy Cardenas is a Narcotics Officer assigned to Walnut Sheriff's Station. This interview was tape recorded on audio cassette and the following is a synopsis of that interview.

Deputy Cardenas said he was one of three undercover deputies selling narcotics, in the sting operation, in the parking lot area of the location. He was dressed in undercover attire and was pushing a shopping cart filled with aluminum cans. He was positioned between the [redacted] and the [redacted] He said it was his job, once the "sale" had been made, to attempt to slow down the vehicle as it left the location. On this particular occasion, he saw the "sale go down", and then attempted to push his shopping cart in the direction of the vehicle as it left towards Laura Avenue, westbound.

Deputy Cardenas said the vehicle left in such a high rate of speed, he was unable to get in position to slow the vehicle down. He saw the vehicle reach the middle of the parking lot and then begin to go backwards. The vehicle went back to the same position where it was originally parked. From the middle of the parking lot where he was at, he saw the driver exit the vehicle with his hands extended outward and then heard one of the undercover deputies state that the individual had a gun. He also heard another deputy yelling, "Sheriff's Department." The four undercover deputies were [redacted], Tony Shapiro, Carlos Parga, and Ernie Banuelos.

Deputy Cardenas said when he heard the gunshots, he attempted to go in the direction of the white Oldsmobile, but then realized he was in a cross fire. At that time, he began to move towards the east side of the parking lot where he could get some kind of cover. At this point, a black vehicle which they had as an arrest vehicle, was placed in position so that they could use it as cover and approach the vehicle where the suspect was lying inside. He said at one point two deputies walked up to the vehicle, pulled the suspect out and handcuffed him.

At 0306 hours, Investigators interviewed **DEPUTY ROBERT HORNER**. Deputy Horner is a Narcotics Officer assigned to Walnut Sheriff's Station. This interview was tape recorded on audio cassette and the following is a synopsis of that interview.

Deputy Horner said he was driving a black Lincoln Continental and was parked in the southwest corner of the parking lot. He said it was his duty to arrest the suspects after they drove away. From the position from where he was parked, he could see all of the transactions and the undercover deputies. He said the "eye van"

was parked closer than he was and had a better view. From his position, he was able to see the majority of the transactions going on in the parking lot. Deputy Horner said he was dressed in a raid jacket, as were the individuals in the "eye van", and the other security people around the area.

Deputy Horner said the undercover deputies were Deputies Cardenas, Shapiro, Banuelos, [redacted], and Parga. At the time of the incident, he saw the suspect drive up to the record shop and could see the undercover deputies talking to the male inside the vehicle. He saw the suspect vehicle pull out and go toward Laura Avenue, stop approximately 3 to 4 stores away, and begin to back up towards the record shop. He could see Deputy Banuelos standing on the sidewalk, near the [redacted]. After the signal was given and a "sale" had been made, he began to approach the vehicle in an easterly direction. As the vehicle began to back up, he continued to follow the vehicle in an easterly direction. As he got close to the record shop, he could hear someone yelling, "Drop the gun. Drop the gun. Sheriff's Department."

Deputy Horner could see the suspect standing at the open door of his vehicle. He saw muzzle flashes, and because he was in the line of fire, laid down on the seat of his vehicle until the gunshots ceased. He then backed his vehicle into the parking lot in a U-type fashion so that the other deputies could use it as cover from the suspect's vehicle which was parked along the sidewalk area, in front of the Sonora Record Shop.

At 0322 hours, Investigators interviewed **DEPUTY CLARA JUDITH MIELER**. Deputy Mieler is assigned to Narco Street Task Force out of Narcotics Bureau. This interview was tape recorded on audio cassette and the following is a synopsis of that interview.

Deputy Mieler said she was assigned to the "eye van", along with her partner, Deputy Britt Lively. Her assignment was as scribe and she was inside the van taking notes on the activities in the parking lot. From her position, she could see the front of the liquor store. As she was sitting in the van, she saw a vehicle pull over and then saw Deputy Banuelos walk over to the driver's side and a conversation took place. As the vehicle drove past them, she saw the deputies take their caps off which indicated that a "sale" had been made. She then saw a vehicle driven by Deputy Norscorg driving westbound behind the suspect vehicle.

Deputy Mieler said the vehicle began to travel backwards to the same position where it originally was and then the suspect got out of the vehicle. She then heard Deputy Shapiro yell that the suspect had a gun and heard him identify himself by telling the suspect that they were deputies. She then heard seven to eight gunshots, approximately fifteen seconds after hearing Deputy Shapiro identify himself. She and her partner, Deputy Lively,

remained inside the van and transmitted the activities in the parking lot to the support group of deputies which were on the perimeter of the location.

On 07-14-95 at 0337 hours, Investigators interviewed **DEPUTY** [redacted] Deputy [redacted] was assigned to the [redacted] and assigned to work with Deputy Phil Gulh. Both were inside a Ford Escort and were part of the arrest team. This interview was tape recorded on audio cassette and the following is a synopsis of that interview.

Deputy [redacted] said he was inside of his vehicle, parked in an alley 200 yards north of Valley Boulevard, when he heard a radio transmission indicating a vehicle had left after a "sale" had been completed by the undercover deputies. The vehicle had returned to the location where the undercover deputies were standing. They were requested to approach in case there was a problem. They stopped their vehicle along the wall, which was next to the [redacted]. As they stopped their vehicle, Deputy [redacted] said he heard someone yelling, "Drop the gun," several times. He said he heard ten to fifteen gunshots.

Deputy [redacted] said he looked around the corner and could see the undercover deputies with their guns drawn. As he approached the suspect vehicle to assist the undercover deputies, he said they yelled at the suspect inside the vehicle, but the suspect did not respond to any of their commands and was still moving. Deputies did not know if the suspect was still armed. Deputy [redacted] said he could see a gun on the trunk lid of the white Oldsmobile. He described this gun as being a .25 caliber, blue steel, automatic. With the assistance of other deputies, he was able to pull the suspect out of the vehicle and secure the crime scene.

At 0345 hours, Investigators interviewed **DEPUTY SCOTT ORR**. Deputy Orr is assigned to Industry G.E.T. Team. This interview was tape recorded on audio cassette and the following is a synopsis of that interview.

Deputy Orr said he was working in an undercover unit assigned as a member of the arrest team with his partner Deputy Calderra. He said they were in a red unmarked Narcotics Mustang. Their assignment was to arrest any pedestrian foot traffic after a "sale" had been made and to provide safety for members of the undercover team if anyone came back to them after the "sale". He and his partner were parked at the northeast corner of the parking lot and heard on the radio transmission that a "sale" had been made with a person inside of a yellow vehicle. He said after hearing that the vehicle was coming back, the rescue teams, which he was a part of, were to come in to ensure nothing happened at that location. Both he and his partner, Deputy Calderra, were in green raid jackets with their gun belts on.



Deputy Orr said as they were exiting their vehicle, they heard someone say, "Put the gun down," more than one time. From his position, he could not see the suspect, but could see the (suspect's) vehicle. He then heard gunshots and they took cover until the shooting stopped. He then put out a 998 call, no deputies injured and requested paramedics. Both he and his partner, Deputy Calderra, approached the suspect vehicle and assisted in pulling the suspect out of the vehicle and handcuffing him. At that point, they secured the crime scene and waited for Homicide Investigators to respond.

This investigation is continuing with further reports to follow.

BY: SERGEANT JACQUELINE FRANCO, #[redacted]
INVESTIGATOR FRANK DURAZO, #[redacted]
APPROVED BY: LIEUTENANT JOSEPH BROWN JB 8-9-95
HOMICIDE BUREAU - DETECTIVE DIVISION

CORTEZ/WPII

RECORDS & STATISTICS BUREAU S USE ONLY

COUNTY OF LOS ANGEL
SHERIFF S DEPARTMEN

COMPLAINT REPORT

DATE 7-13-95 PAGE 1 OF 3

ACTION: ACTIVE (X) INACTIVE ( ) PENDING ( ) | INDEX INFO Yes ( ) No (X) | No of Adult Arrests: Ø | No of Subject Detentions: Ø | URN (File No): 095-11363-1435-055 (326)

CLASSIFICATION: ASSAULT WITH A FIREARM ON A PEACE OFFICER, 245(d)(1) P.C. | Sex Offense Victim information ( )YES ( )NO

CLASSIFICATION: PERSON DEAD | If Domestic Violence: Weapon Used ( )YES ( ) NO

DATE TIME DAY OF OCCURRENCE: 7-13-95, 2100 HRS, THURSDAY | PRINT DEPUTY REQUESTED: NO (X) YES ( ) LOC ( ) STA ( ) VEH ( ) | VIA SECTY | TIME

LOCATION OF OCCURRENCE: [redacted] VALLEY BL, LA PUENTE | TYPE OF LOCATION: PARKING LOT | TRACT

CODE: V—VICTIM, W—WITNESS, I—INFORMANT, R—REPORTING PARTY, P—PARTY LIST ONE WITNESS (IF NAMED) AND THE INFORMANT ON THIS PAGE.

CODE	No OF	LAST NAME	FIRST	MIDDLE	SEX	RACE	DOB
V	4 of 4	CONFIDENTIAL - SEE	NARRATIVE		M	H	[redacted]

RESIDENCE ADDRESS: "Narco Deputy" CITY ZIP RES PHONE (AREA CODE)

BUSINESS ADDRESS CITY ZIP BUS PHONE (AREA CODE)

CODE	No OF	LAST NAME	FIRST	MIDDLE	SEX	RACE	DOB

RESIDENCE ADDRESS CITY ZIP RES PHONE (AREA CODE)

BUSINESS ADDRESS CITY ZIP BUS PHONE (AREA CODE)

CODE	No OF	LAST NAME	FIRST	MIDDLE	SEX	RACE	DOB

RESIDENCE ADDRESS CITY ZIP RES PHONE (AREA CODE)

BUSINESS ADDRESS CITY ZIP BUS PHONE (AREA CODE)

CODE: S—SUSPECT, SJ—SUBJECT, M—PATIENT, S/V—SUSPECT/VICTIM, SJ/V—SUBJECT/VICTIM CIRCLE CODE IF SUPP. PAGES USED FOR: V W S SJ M S/V SJ/V

CODE	No OF	LAST NAME	FIRST	MIDDLE	DRIVER'S LICENSE (STATE & No)
S	1 of 1	DOE	JOHN		

RESIDENCE ADDRESS CITY ZIP RES PHONE (AREA CODE)

BUSINESS ADDRESS CITY ZIP BUS PHONE (AREA CODE)

SEX	RACE	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	WHERE DETAINED OR CITE No
M	H	BLK	BRO	602	220		30-40	(DECEASED)

OBSERVABLE PHYSICAL ODDITIES | AKA NICKNAME | BOOKING No

CLOTHING WORN: BLK. DENIM SHORTS, WHITE T-SHIRT | MAIN

CHARGE | WEAPON USED: PISTOL

CODE	No OF	LAST NAME	FIRST	MIDDLE	DRIVER'S LICENSE (STATE & No)

RESIDENCE ADDRESS CITY ZIP RES PHONE (AREA CODE)

BUSINESS ADDRESS CITY ZIP BUS PHONE (AREA CODE)

SEX	RACE	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	WHERE DETAINED OR CITE No

OBSERVABLE PHYSICAL ODDITIES | AKA NICKNAME | BOOKING No

CLOTHING WORN | MAIN

CHARGE | WEAPON USED

VEHICLE USED IN CRIME YES (X) NO | UNKNOWN STORED IMPOUNDED | YEAR: 79 | MAKE: OLDS | BODY TYPE | COLOR: TAN | BY DEPUTY: A. BERG | BADGE No: [redacted]

LICENSE (STATE & No): CA [redacted] | VIN FRAME No | DEPUTY | BADGE No

REGISTERED OWNER: [redacted] | STATION: INDUSTRY | UNIT/CAR No: 144K2 | SHIFT: P.M.

IDENTIFYING CHARACTERISTICS: DELTA 88 NK DEL | APPROVED: SGT COLLINS | BADGE No: [redacted] | 7/14/95 | TIME: 0626

CHP 180 SUBMITTED YES (X) NO ( ) | GARAGE NAME & PHONE: HADDICK'S TOW, (818) 330-3737 | ASSIGNMENT: HOMICIDE

VICTIM DESIROUS OF PROSECUTION YES NO | VICTIM INSURED FOR LOSS YES NO | E A R No | SPECIAL REQUEST DISTRIBUTION

SUSPECT SUBJECT RELEASE APPROVED BY | TIME | ARREST REVIEW SUBMITTED YES NO | TT/B/C BY | DATE | TIME | SECTY: F

78C300F-SH-R-49 (Rev. 5/93)

USE FOR PROPERTY/NARRATIVE AS NEEDED

DATE 7-13-95 | TIME REC'D 2161 HRS | DET ( ) CALL ( ) | URN C95-1176-1435-055

INPUT CHECKED NCIC CII ETC YES (X) NO ( ) | EVIDENCE (CODE EV) HELD YES ( ) NO (X) | MARKED TAGGED SEALED & PLACED IN STATION EVIDENCE LOCKER INSIDE ( ) OUTSIDE ( ) SAFE ( ) REFRIG ( ) BY | LEDGER PAGE No

IF BURGLARY FORCE USED N/A YES ( ) NO ( ) POINT OF ENTRY DOOR ( ) WINDOW ( ) ROOF ( ) OTHER

PROPERTY (TOTAL VALUE) RECOVERED $ ∅ STOLEN $ ∅ DAMAGED $ ∅

PROPERTY CODE S—stolen R—recovered L—lost F—found E—embezzled D—damaged (Use All Applicable Codes. For Example If Property Is Both Stolen & Recovered Code Is S/R) | PROPERTY RELEASED TO

CODE	ITEM No	QUAN	DESCRIPTION INCLUDE KIND OF ARTICLE TRADE NAME IDENTIFYING NUMBERS PHYSICAL DESCRIPTION MATERIAL COLOR CONDITION AGE AND PRESENT MARKET VALUE	SERIAL No	VALUE
					$
			(SEE PAGE 3 FOR NARRATIVE)		

VICTIM OF SEX CRIME'S REQUEST FOR CONFIDENTIALITY

PURSUANT TO SECTION 293(a) OF THE CALIFORNIA PENAL CODE, YOU ARE INFORMED THAT YOUR NAME WILL BECOME A MATTER OF PUBLIC RECORD, UNLESS YOU REQUEST THAT IT REMAIN CONFIDENTIAL AND NOT BE A PUBLIC RECORD, PURSUANT TO SECTION 6254 OF THE GOVERNMENT CODE.

I, ______________________ HEREBY (DO) (DO NOT) ELECT TO EXERCISE MY RIGHT TO PRIVACY.

SCREENING FACTORS

YES	NO		YES	NO	
	X	1. SUSPECT IN CUSTODY	X		7. GENERAL SUSPECT DESCRIPTION
X		2. SUSPECT NAMED/KNOWN	X		8. GENERAL VEHICLE DESCRIPTION
X		3. UNIQUE SUSPECT IDENTIFIERS		X	9. UNIQUE M.O. OR PATTERN
X		4. VEHICLE IN CUSTODY	X		10. SIGNIFICANT PHYSICAL EVIDENCE
X		5. UNIQUE VEHICLE IDENTIFIERS		X	11. TRACEABLE STOLEN PROPERTY
X		6. WRITER/REVIEWER DISCRETION	X		12. MULTIPLE WITNESSES

PART I STATISTICAL INFORMATION

ADDITIONAL CRIMES (1) ∅ (2) ______ NUMBER OF VICTIMS ______

TYPE OF PROPERTY	STOLEN ∅	∅ RECOVERED	TYPE OF PROPERTY	STOLEN	RECOVERED
			JEWELRY	$	$
CLOTHING FURS	$	$	LIVESTOCK	$	$
CONSUMABLE GOODS	$	$	LOCAL STOLEN VEHICLES	$	$
CURRENCY NOTES	$	$	MISCELLANEOUS	$	$
FIREARMS	$	$	OFFICE EQUIPMENT	$	$
HOUSEHOLD GOODS	$	$	TV RADIO STEREO	$	$

WEAPONS CODE

- ( ) ARTICLES THROWN
- ( ) CAUSTIC CHEMICALS
- ( ) CLUB BLUNT INSTRUMENT
- ( ) DRUGS NOXIOUS GAS
- ( ) FIRE EXPLOSIVES
- ( ) HANDS FEET FIST ETC
- ( ) KNIFE CUTTING INSTRUMENT
- ( ) POISON
- (X) REVOLVER PISTOL
- ( ) RIFLE
- ( ) SHOTGUN
- ( ) STRANGULATION
- ( ) VEHICLE
- ( ) UNKNOWN OTHER

I responded to [redacted] Valley Bl., La Puente, after hearing a Sheriff's Radio broadcast of a "Deputy Involved Shooting." I arrived at about 2105 hrs. I observed a male (Suspect #1/John Doe) lying on the pavement with his head facing south. He appeared to be bleeding from the chest area, and was not moving. I observed a cream colored 1979 Oldsmobile CA. License [redacted] parked facing S/B in front of the location. The suspect was lying east of the Oldsmobile.

Paramedics from L.A.County Fire Department Squad 118 (Larry Duran, Chris Mayo) under the direction of Capt. Sanchez arrived at approx. 2107 hrs. and treated the suspect. They detected signs of life, and the suspect was transported to Queen of the Valley Hospital via Crippen Ambulance at 2124 hrs.

I was advised by L.A.S.D. Narcotics Bureau Sgt.L.Brakebush ([redacted]) that the suspect had assaulted Deputies with a pistol. The suspect was subsequently shot and injured by Deputies.

The deputies involved in the shooting were immediately sequestered by L.A.S.D. Narcotics Sgt.H.Marco ([redacted]) and transported to Industry Station. Their names remain confidential on this report due to the nature of their duties.

L.A.S.D. Homicide was notified by Industry Station desk of a Deputy-Involved shooting at 2117 hrs. With the assistance of other Sheriff's personnel, I established a containment of the scene and surrounding area, and directed that a log be maintained of all persons entering the scene. The log was maintained by Deputy C.Anderson ([redacted]) and Deputy S.Trost ([redacted]). This log (3 pages) was submitted with this report.

The suspect was treated at Queen of the Valley Hospital (1115 Sunset Av., West Covina) by Emergency Room Physician Dr.Kilpatrick; he was pronounced dead by Dr.Kilpatrick at 2137 hrs. Coroners Case Number 95-05379 was assigned.

L.A.S.D. Homicide Detective Wisberger ([redacted]) and Detective Aguilar ([redacted]) arrived at 2245 hrs. and assumed control of the investigation. The Field Sergeant, Unit 140S, Sgt.Scoville arrived at approx. 2110 hrs. The Watch Commander, Sgt.Lindblom, arrived at approx. 2130 hrs.